

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Robert PLOURDE, Jr. et al.

Appl. No.: 10/576,859

Filed: April 19, 2006

For: **NON-NUCLEOTIDE COMPOSITIONS  
AND METHOD FOR TREATING PAIN**

Group Art Unit: Not Yet Assigned

Confirmation No.: 9127

Examiner: Not Yet Assigned

Atty. Docket: 03678.0207.PCUS02

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

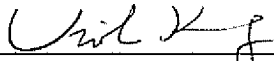
In response to the Notification of Missing Requirements dated December 26, 2006, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ a copy of Notification of Missing Requirements (2 pages); and
- ☒ a copy of PCT/IB/306 (1 page), which indicates that CREAN, Christopher S. is added as an inventor for all designated states.

Applicants have already paid the surcharge of \$65.00 for late furnishing of Oath or Declaration on October 11, 2006; therefore, Applicants believe that there is no fee due in this submission. However, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 03678.0207.PCUS02.

Respectfully submitted,

Date: January 2, 2007

  
\_\_\_\_\_  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/576,859	Robert Plourde JR.	036780207PCUS02

45605  
 HOWERY LLP  
 C/O IP DOCKETING DEPARTMENT  
 2941 FAIRVIEW PARK DRIVE SUITE 200  
 FALLS CHURCH, VA 22042

INTERNATIONAL APPLICATION NO.	
PCT/US04/35396	
I.A. FILING DATE	PRIORITY DATE
10/21/2004	10/21/2003

CONFIRMATION NO. 9127

371 FORMALITIES LETTER



\*OC000000021728334\*

Date Mailed: 12/26/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/19/2006
- Copy of the International Search Report filed on 04/19/2006
- Preliminary Amendments filed on 04/19/2006
- Information Disclosure Statements filed on 07/28/2006
- Oath or Declaration filed on 10/11/2006
- U.S. Basic National Fees filed on 04/19/2006
- Priority Documents filed on 04/19/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Inventor has been added to the declaration without documentation.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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 DEC 27 2006

HOWREY LLP

*ph*  
 Docketed

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/576,859	PCT/US04/35396	036780207PCUS02